IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:- 04.04.2007

Coram:-

The Hon'ble Mr. Justice P.SATHASIVAM
and
The Hon'ble Mr. Justice S.TAMILVANAN

Writ Petition No.12359 of 2007
& M.P.No.1 of 2007

P.Purushotaman .. Petitioner

Vs.

1. Pondicherry Planning Authority,
rep. by its Member Secretary,
Jawahar Nagar, Pondicherry.

2.The Commissioner,
Hindu Religious Insitutions,
Aravind Street, Pondicherry.

3.The Special officer,
Arulmigu Dharmaraja Panchaliamman
Temple, Thelaspet, Pondicherry-9.

4.P.Venkatesa Perumal .. Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus to direct the first respondent to dispose of the appeal dated 11.10.2006 of the petitioner in accordance with law and forbear respondents 1 to 3 from in any manner demolishing the petitioner's house at old door No.15, new No.21, Mettu Street, Koundanpalayam, Pondicherry, until such time.

For Petitioner : Mr.Bharatha Chakravarthy for
M/s Sai, Bharath & Ilan

For Respondents 1&2 : Mr.T.Murugesan
Government Pleader(Pondicherry)

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ORDER

(Order of the Court was delivered by P. SATHASIVAM, J.)

The petitioner has filed the above writ petition to issue a Writ of Mandamus directing the first respondent-Pondicherry Planning Authority, rep. by its Member Secretary, Pondicherry, to dispose of his appeal

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dated 11.10.2006 in accordance with law and forbear respondents 1 to 3 from in any manner demolishing his house at old door No.15, new No.21, Mettu Street, Koundanpalayam, Pondicherry.

2. On direction, Mr.T.Murugesan, learned Government Pleader (Pondicherry) takes notice for respondents 1 and 2.

3. Considering the limited relief prayed for and of the fact that the petitioner has made an appeal before the first respondent even on 11.10.2006 and also the assertion of the petitioner that the said appeal is still pending with the first respondent, we are of the view that ends of justice would be met by directing the first respondent to consider and dispose of the appeal made by the petitioner on 11.10.2006, in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. Till such final order being passed by the first respondent, the demolition notice No.67/PPA/Z(6)/2002 dated 03.04.2007 issued by the first respondent-the Member Secretary, Puducherry Planning Authority, Puducherry, shall be kept in abeyance.

4. The writ petition is disposed of on the above terms. No costs. Consequently, M.P.No.1of 2007 is closed.

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

raa

To

1. The Member Secretary,
Pondicherry Planning Authority,
Jawahar Nagar, Pondicherry.

2.The Commissioner,
Hindu Religious Insitutins,
Aravind Street, Pondicherry.

1 cc To M/s.Sai Bharath & Ilan, Advocate, SR.21330.
1 cc To The Senior Government Pleader-cum
-Senior Public Prosecutor for Pondicherry, SR.21632.

W.P.No.12359 of 2007

MRD(CO)
RVL 16.04.2007

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